REMARKS

All claims (claims 1-20) stand rejected under 35 U.S.C. 103 as being obvious over US Pat 6,526,034 ("Gorsuch") and in view of US Pat 6,577,868 ("Vialen") and US Pat 6,023,461 ("Raychaudhuri et al."). This rejection is respectfully traversed.

The context of the present invention is a WTRU that is able to communicate in two different types of wireless systems. Gorusuch is representative of this context in disclosing a WTRU capable of communicating with either CDMA or WLAN wireless links. As the Examiner notes, Gorusuch does not disclose the combination of the claimed application broker and communications broker defined by claim 1, but discloses generic buffering.

Gorusuch discloses a simple switch 211a for changing between communication data paths allotted for the respective CDMA and WLAN wireless communications. In order to implement the generic buffering referenced in Gorusuch, one could use the teachings such as those in Vialen or Raychaudhuri et al. to provide for buffering in higher layer applications which is conventional in the art. The computer 110 of Gorusuch or other application processing unit of a generic WTRU can implement the buffering suggested by Gorusuch.

In lieu of a simple switch 211a between the high layer interface 120 of Gorusuch and the two wireless communication data paths, claim 1 defines the inclusion of an application broker and a communications broker where:

> the application broker [is] associated with the communications broker to control data buffering and data path switching by the communications broker such that data flowing to a first wireless interface of the protocol engine during a communication session is buffered while a wireless link is established with a different second wireless interface of the protocol engine for the communication session and the communication broker data path is switched to the second wireless interface and the buffered data is released therethrough after a wireless link is established for the communication session via the second wireless interface.

Although there is reference to buffering in conjunction with a network switch, ATM switch cross over 2, in Raychaudhuri et al, this is clearly in higher layer communication processing in a controller of multiple bases stations. The mobile unit buffering referenced in Raychaudhuri et al is made in conjunction with hand off but is not in conjunction with any protocol switching as defined by the communication and application broker components defined by the claims.

The present invention does not eliminate the need for the type of buffering disclosed in Raychaudhuri et al. For example, if one type of wireless communication of a WTRU made in accordance with claim 1 is the ATM type of wireless communications set forth in Raychaudhuri et al, the WTRU would preferably be configured to implement the standard hand off procedures disclosed in Raychaudhuri et al when the WTRU traveled from the service area of one of the Raychaudhuri et al base stations to another. This would preferably entail higher layer buffering independent of the claimed application and communication brokers defined by claim 1. However, there is no suggestion to combine the teachings of

Raychaudhuri et al and Gorusuch to produce the WTRU defined by the present claims. nor does adding the teachings of Vialen render the pending claims obvious.

None of the reference disclose or suggest locating the combined buffering and switching functions implemented by the communications and application broker components between the interface of higher layer applications and the protocol engine which supports at least two types of wireless linking. Similarly the claimed methods and ASIC claims are not suggested or disclosed by the cited art.

Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

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